



B Y - L A W S,

CONSTITUTIONS, ORDERS

A N D

R U L E S,

F O R T H E

Good Government of the Corporation

O F T H E

UNITED COMPANY OF MERCHANTS

O F

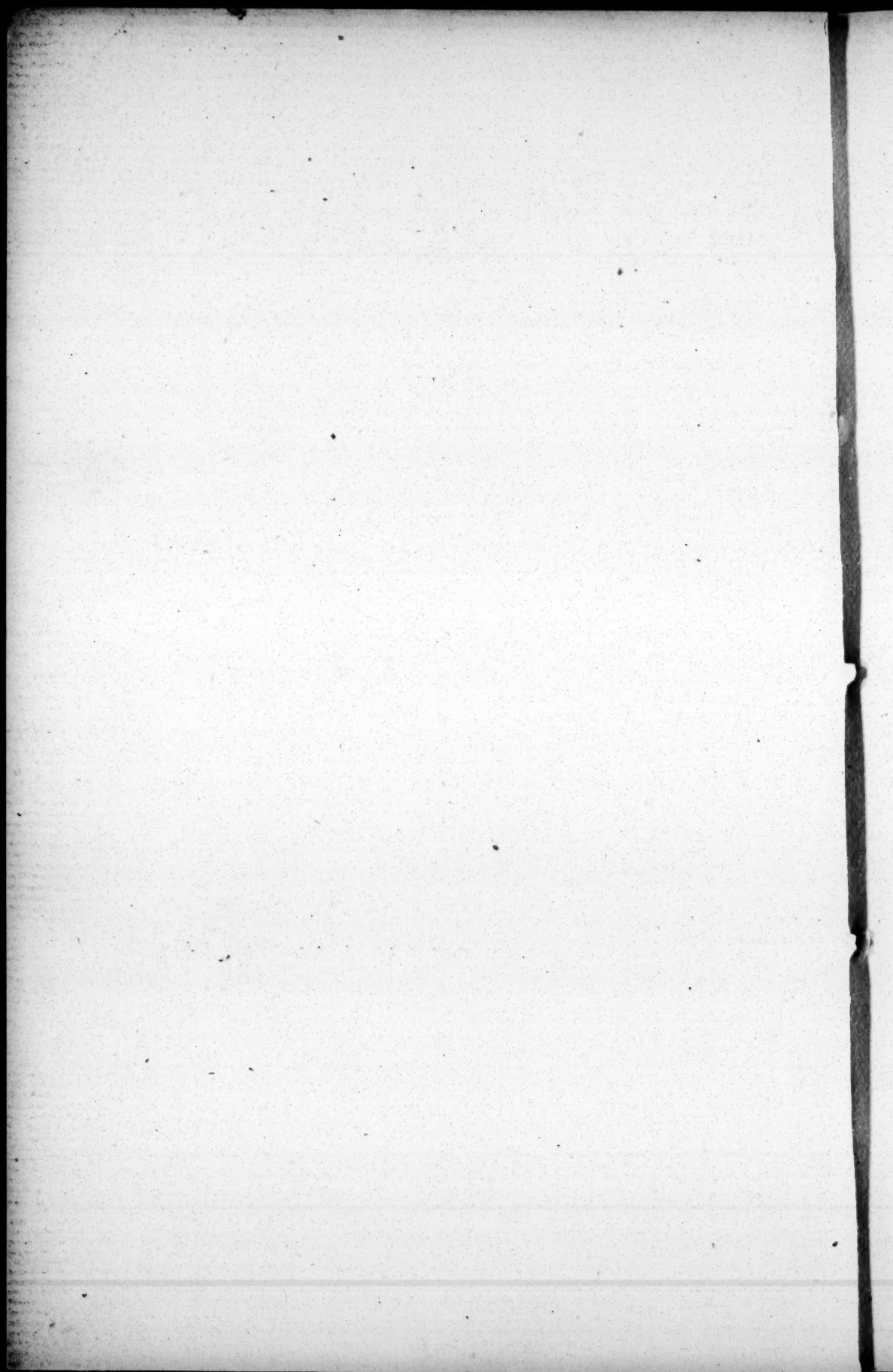
ENGLAND TRADING TO THE EAST-INDIES,

A N D F O R T H E

BETTER CARRYING ON, AND MANAGING  
THE TRADE OF THE SAID COMPANY.

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Printed in the Year 1788.



B Y - L A W S, &c.

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1st By-Law.

##### *I* is Ordained, That The Com-  
##### the Common Seal of pany's Seal to  
##### this Corporation shall be kept under  
##### be kept under Three Three Locks,  
Locks, by such Three of the  
Directors, as the Court of Di- And  
rectors shall from Time to  
Time appoint; and that the  
said Seal shall not be set to any not to be put  
Writing, or Instrument, but to any Writ-  
by an Order of the Court of ing but in the  
Directors first had, and that in Presence of  
the Presence of the said Three two Directors.  
Directors, or any Two of  
them, and that the Court of  
Directors do cause a particular  
Register of all Bonds for  
A 2 Money

( 4 )

Money borrowed at Interest, and another Register for all other Bonds and Instruments of what Kind soever, that shall pass under the Company's Seal, to be entered, and kept under the Inspection of those that have the Custody of the Seal, who are hereby required to see, that the said Register Books be regularly kept up, and laid before the Court of Directors at the first Court in every Calendar Month, or oftener if they shall call for the same.

2d By-Law.

For every  
Transfer 11s.  
9d. to be paid.

*Item,* It is Ordained, That upon all Transfers to be made of any Interest in the Stock, or Fund, of this Corporation, Eleven Shillings and Nine-Pence



( 5 )

Pence shall be paid for each Transfer, by the Person transferring, for the Use of this Corporation, including the Stamp Duties of Seven Shillings and Nine-Pence.

3d By-Law.

*Item*, It is Ordained, That a Court of Directors shall be Summoned and Held once in every Week at the least.

A Court to be holden once a Week.

4th By-Law.

*Item*, It is Ordained, That an Account of the Money Received, and Paid, for the Annuity, be kept distinct from the Trade; and that the said Annuity be paid Half-yearly, to the Persons interested, viz. at *Midsummer* and *Christmas*, or so

The Money for the Annuity to be kept distinct from the Trade, and paid Half-yearly.

so soon after as the same shall come in.

5th By-Law.

If a Director has any Dealings with the Company, he is to declare the same.

*Item,* It is hereby further Ordained, That in all Cases whatsoever, where any Director, or any other Officer of this Company, shall have any Dealings, or Business, with this Company, upon their own Account separately, or in Conjunction with any other, for or in Respect of Buying for, or Selling to this Company any Bullion, or other Goods whatsoever, or in the making any other Bargain or Contract whatsoever, by, to, or with this Corporation, That then, in such Case, such Director or Officer, so having any Business with this Corporation, as aforesaid,

said, shall at the Time of his or their negotiating the same, or being present at such Negotiation, declare and publish to the Court of Directors, whether he is directly, or indirectly, concerned in the Goods proposed to be Sold, or other Matters then negotiating, or in any other Matter, wherein he shall be directly or indirectly interested, or concerned : And if any Debate shall thereupon arise, the Person concerned having first been heard, shall afterwards withdraw during such Debate, and when the Question is put; provided that nothing in this By-Law shall be understood to oblige any Director to declare, whether he is concerned in Goods bought by himself, or others for him, at any public Sale

by

Except as to  
Goods bought  
at the Sale.

by the Company's Candle. And it is also hereby Ordained, That no Director shall give his Vote, for any Lot of Goods bought at the Company's Candle, or for making any Allowance for any Goods so bought, wherein he is directly or indirectly concerned: And if any such Director, or other Officer whatsoever, shall at any Time wittingly or willingly offend, contrary to this By-Law, such Person or Persons so offending, and being declared guilty thereof by a General Court, shall immediately become, and be deemed and reputed incapable of holding or enjoying, or being chosen again into the Office of Director, or any other Office of, or belonging to, the said Company.

6th By-



6th By-Law.

*Item,* It is Ordained, That no Director shall take any Fee, Present, or Reward, directly or indirectly, upon any Account whatsoever, relating to the Business or Affairs of the Company.

No Director to take any Fee or Reward.

7th By-Law.

*Item,* It is Ordained, That no Officer or Servant belonging to this Company shall, directly or indirectly, take any Fee, Reward, or Present, other than such as shall be allowed and established by the Court of Directors, and contained in a Table or Tables of Fees, to be provided by them for that Purpose, and exposed to public

No Officer to take any Fee but what shall be allowed.

B

lick

No Officer to  
be a Broker.

lick View : And that no Officer or Servant, being or taking upon him the Office of a Broker, shall be capable of continuing in the Service of this Company.

8th By-Law.

The Company's Money not to be laid out in Shipping, or invested in Stock, without the General Court's Consent.

*Item,* It is Ordained, That the Court of Directors shall not invest any of the Company's Money, or Effects whatsoever, in Shipping (except such small Ships as they may have Occasion to employ in the *East-Indies*,) or in the purchasing any Part or Share in the Capital or Additional Fund, or Stock of this Company, without the Consent of the General Court first had.

9th By-Law.

9th By-Law.

*Item*, It is Ordained, That from and after *Michaelmas*, which shall be in the Year of our Lord, 1709, no Ship or Vessel shall be hired or freight-ed by the Court of Directors, wherein any Director is, directly or indirectly, concerned, or interested as an Owner, or a Part Owner: And all Ships to be hired by this Company shall be taken up, and their respective Voyages agreed in a Court of Directors, by the Ballot, and not otherwise: And the Court of Directors shall not accept the Tender of any Ship, but what shall be first made by the Commander, and Two of the Owners in Writing, where-

No Ship to be taken up wherein a Director is Owner.

All Ships to be taken up and Voyages agreed to by the Ballot.

in shall be expressed the Names  
of all the Owners.

10th By-Law.

All Goods  
licens'd, to be  
view'd by the  
Committee of  
Shipping and  
registered.

*Item*, It is Ordained, That  
all Goods and Merchandizes  
whatsoever, that shall hereafter  
be Licens'd to be sent in any  
of the Company's Ships to the  
*East-Indies*, by the Court of Di-  
rectors for the Time being, or  
by any Committee empowered  
by them, shall be brought for  
that Purpose to or near the  
*East-India-House*, and be there  
viewed by the Committee of  
Shipping, in order to the Ton-  
naging and Registering of such  
Goods.

All Bullion  
to be brought  
to the Treas-  
ury.

That all Bullion, which  
shall be so Licens'd, shall be  
brought to the *Treasury-Office*,  
and



and there viewed, weighed, and packed up.

That before any Warrant, or Order, shall be given for Shipping such Goods, Merchandizes or Bullion, the Freight, and other Duties chargeable thereon, shall be first paid to the Company's Treasurer, or Cashier, for the Time being; for which he shall give a Receipt, therein mentioning the Sum, and for what paid, which Receipt shall be produced to the Committee, or Officers who sign the said Warrant or Order.

That the Company's Mark shall be put upon all such Goods, Merchandizes, and Bullion, either by burning or deep cutting in, if the Package will bear it, or else by stamping, before the same are removed from

The Company's Mark to be put on all Goods.

And

from the Place of View ; with such further additional Marks or Numbers, as the Parties concerned, and the Committee of Shipping, or of the Treasury, shall direct.

A Register  
kept thereof.

That a due Register shall be kept, in Books for that Purpose, of all the Goods, Merchandizes, and Bullion to be Licens'd as aforesaid, together with the Quantity and Tonnage of the same ; and that the Husband at the Water-side, or his Assistant, do, from Time to Time, within Fourteen Days, after any Ship or Ships belonging to this Company are sail'd from the *Downs*, transmit to the Court of Directors, an Account of all Goods and Merchandizes shipped on such Ship or Ships respectively, together with the Marks and Numbers, and Quantity

Quantity of the Tonnage of the same.

That all Goods, Merchandizes and Bullion, which shall be found on board any of the Company's Outward-bound Ships, ~~not Licensed and Marked,~~ or Stamped with the Company's Mark, shall be forfeited, according to the Directions of the Act of Parliament; except only in such Cases, where the Court of Directors for the Time being shall think fit, on the Necessity of the Case, to dispense with the examining and marking of such Goods, and declare the same under the Hands of Thirteen or more of them.

Unlicensed Goods to be forfeited.

That Notice in Writing be given to the Commanders of all Ships, to be employed in the Company's Service, of this

Notice thereof to be given to the Commanders.

By-Law,

By-Law, at the Time of Entertaining their Ships, to the End, they may forbid any Goods being taken on board their respective Ships, that are not Licens'd and Marked, or have not a particular Order under the Hands of Thirteen or more of the Court of Directors, for the Time being, for their being shipped as aforesaid.

11th By-Law.

All Goods brought home not registered to be forfeited.

*Item,* It is Ordained, That in all Charter-Parties for the future, there be inserted a Clause, whereby the Commander and Owners shall Lose and Forfeit to the Use of the Company, all their Goods brought Home in Private Trade, which shall not be duly Registered in *India*, at the



the Factory where such Goods shall be taken on board, and in case any of their Goods shall be taken on board, where the Company have no Factors, then to be Registered in the Supra-cargoes Book; and where there is no Supra-cargo, then to be Registered in the Commander's Book, and witnessed by the next superior Officer aboard: And that there be a proper Instrument prepared for the same Purpose, for the Officers and Ship's Company to sign to, at the Time of receiving their Imprest-Money: And that a Return of all such Registers be constantly made by the Factors, Supra-cargoes or Commander on each Ship, under their Hands respectively, and Duplicates thereof transmitted

C

mitted to the Company by some other Ship.

All Goods  
in Private  
Trade to be  
lodged in the  
Company's  
Warehouses.

And that all Goods in Private Trade (prohibited Goods excepted) be immediately, after Landing, brought up from the Water-side, and lodged in a particular Warehouse, to be provided by the Court of Directors for that Purpose, and not housed in any Warehouse at the Water-side, on any Pretence whatsoever, unless otherwise Ordered by the Court of Directors.

12th By-Law.

If a Director  
dies or goes  
beyond Sea,  
another to be  
chosen.

*Item,* It is Ordained, That when any Director goes to reside beyond Sea, it shall make a Vacancy of his Directorship, and that whenever there shall be a Vacancy of the Place of a Director,

Director, by Death, Resignation, Incapacity, or otherwise, another shall be chosen in his Room, within a convenient Time after every such Vacancy, and that Ten Days publick Notice shall be given of the Day upon which such Choice shall be made.

13th By-Law.

*Item,* It is hereby Ordained, That no Commander, Owner, or Part-Owner, of any Ship freighted by the Court of Directors, shall sell any Office of Mate, Purser, Gunner, Boat-swain, or any inferior Office, or take any Fee or Reward whatsoever, directly or indirectly, for any of the said Offices or Employments, on board any Ship so freighted : And that upon  
Proof

No Commander shall sell any Office in his Ship.



( 20 )

Proof made thereof to the Court of Directors, such Commander, Mate, Purser, Gunner, Boatswain, or other inferior Officer, shall be discharged the Service of this Company : And that any Owner, Part-Owner, or Commander of any Ship, freighted as aforesaid, who shall sell any such Office as aforesaid, upon Proof made thereof to the said Court of Directors, shall forfeit to this Company, for every such Offence, double the Sum for which any such Office shall be sold, to be deducted out of the Freight and Demorage to grow due for the said Ship : And that a proper Clause be inserted in all Charter-Parties for this Purpose.

14th By-



14th By-Law.

*Item,* It is Ordained, That it shall and may be lawful for the Court of Directors, to make such Allowance for Prompt Payment of Money called in for Trade, as they shall think fit; so as at least Ten Days publick Notice be given, What, and When any such Allowance is to be made.

Allowance to  
be made for  
Prompt Pay-  
ment for Mo-  
ney called in  
for Trade.

15th By-Law.

*Item,* It is Ordained, That the Books containing the general Accounts of this Company in *England*, shall be balanced to the 30th Day of *June*, which shall be in the Year of our Lord, 1735, and so yearly, to every 30th Day of *June* following,

Books to be  
balanced  
yearly the  
30th of June.

Indian Books  
to be balanced  
yearly and  
sent home.

following, and the Balance drawn out within Three Calendar Months after every 30th Day of *June*; and likewise the Books of this Company's Affairs in *India* shall once every Year be balanced in every of the said Company's Factories, and Transcripts or Copies thereof, signed by the Chief and Council of each Factory, sent to *England*, by the first Conveyance following, under the Penalty of the Persons being dismissed from the Service of the Company, who shall refuse or neglect so to do.

16th By-Law.

All Receipts  
and Payments  
to be made in  
course.

*Item*, It is Ordained, That all Receipts and Payments, ordered by the Court of Directors, shall be made in course, without

without any undue Preference:  
And every Officer acting otherwise shall be dismissed the Service of the Company.

17th By-Law.

*Item,* It is Ordained, That upon every Annual Election of Directors, at least seven Months publick Notice shall be given thereof, and that two Printed Lists of the Names of the Members, who appear qualified to Vote, be ready to be delivered, the first at least five Months, and the second at least fourteen Days before the Day of Election.

Concerning  
Notice of  
Elections,  
and

delivering  
Lists of  
Members.

18th By-Law.

*Item,* It is Ordained, That no Note drawn by any Director, or other Person, or under his

No Note to  
be taken in  
any Payment.

or

or their Hands, shall be taken in any Payment whatsoever to the Company.

19th By-Law.

No Member  
to Trade  
within the  
Company's  
Limits.

*Item,* It is Ordained, That every Person that is a Member of this Company, and shall directly or indirectly, under any Colour or Pretence whatsoever, Trade within the Limits of the Company's Charter, otherwise than in the Joint-Stock of the said Company, shall Forfeit and Lose to the Use of the said Company, the Value of such Money, Goods and Merchandizes, so traded for, over and above all other Penalties and Forfeitures appointed by Act of Parliament; and the Person offending herein shall be incapable of serving this Company,  
in



in any Office, or Place whatsoever.

20th By-Law.

*Item*, It is Ordained, That no Orders shall be sent by the Directors to, or obeyed by any of the Agents or Factors of this Company in *India*, or any other Parts, at or beyond the *Cape of Good Hope*, or at *St. Helena*, but such as shall be signed by Thirteen or more of the Directors for the Time being, except for Signals and Places of Rendezvous of Ships.

All Orders to be signed by 13 or more Directors, except for Signals, &c. of Ships.

21st By-Law.

*Item*, In Order to avoid Mistakes or Confusions in Elections, It is Ordained,

Concerning Elections.

D                      *First*,

*First,* If it shall happen upon making the Scrutiny for Directors, any two or more Persons qualified shall have an equal Number of Votes, the Election, in such Case, shall be determined in the General Court, in which such Scrutiny shall be reported.

*Secondly,* And if on taking the Scrutiny, two or more Persons qualified for the same Office, have the same Christian and Surnames, and are not distinguished by their Additions ; or that a wrong Christian Name in any List is placed to a Surname, when but one Person of that Surname is qualified, or that literal Mistakes be made in Christian or Surnames : In every of the said Cases, such undistinguished  
wrong

wrong or mistaken Name or Names, shall be kept and not rejected, but the rest of the List shall be allowed: And the Persons appointed to take the Scrutiny may determine the Person or Persons intended by such undistinguished, wrong or mistaken Name or Names, provided the major Part of them, then present, shall agree in ascertaining the Person or Persons so intended: But in Default thereof, the same shall be determined by the General Court, in which such Scrutiny, shall be reported.

*Thirdly,* And that no List shall be received for any Election, after the Glafs is finally sealed up, according to the Time prefixed, but such List shall be rejected.

*Fourthly,*



*Fourthly*, And if any Member shall use, or procure to be used, any indirect Means, by Menaces, Promises, or collusive Transfer or Transfers of Stock, or otherwise, to obtain any Vote for Election of himself, or any other, to be a Director, and be thereof declared guilty at a General Court, to be called for that Purpose, such Person shall for ever be incapable of being elected into any such Office.

*Fifthly*, And that in all Elections of Committees to be made by a General Court, the same Method (or so near as the Case will admit) be observed, under such Penalties as are before prescribed concerning the Election of Directors.

*Sixthly*,



*Sixthly*, And that the third, fourth, and fifth Clauses of this By-Law shall be inserted at the End of every printed List, that shall be given out, at or before the Annual Election, to the End, the Members of this Corporation may be directed in giving their Votes.

22d By-Law.

*Item*, It is Ordained, That the Cash of this Corporation, consisting in Ready Money, Exchequer Bills, or Bank Notes, shall, from Time to Time be kept under three several Locks, by such three of the Court of Directors, as the said Court shall from Time to Time appoint; except such Sums as the said Court shall think necessary to

Cash to be kept under three Locks.

( 30 )

to trust with their Cashier :  
and that the Cash of this Corporation in the *Bank of England*, shall be kept in such Method as the Court of Directors shall appoint : and that no Money, relating to the Trade, or Affairs of the said Company, shall be disposed of without an Order of the said Court of Directors : And that the Interest, and all other Advantages, arising and growing upon the Cash of the said Company, be brought to the Account of the said Company.

State thereof,  
to be laid before the  
Court weekly.

And that the Book, containing the State of the Cash, be laid before the Court of Directors once in every Week by the Cashier, and that he sign the same ; And that the said three  
Di-

The same to

Directors, or any two of them, do once a Month, or oftener, examine the several Species whereof the Balance of the Cash consists, and certify the same under their Hands : And that the Accomptant, with the next Person under him, do, within fourteen Days after the End of every Month, examine all the particular Entries of Receipts and Payments of that Month, by the respective Vouchers, and likewise the Additions and Balance thereof, and certify under their Hands upon the Cash Book that they have so done, and how they find the same.

be examined  
monthly by  
the Directors.

Accomptant  
to examine  
and certify  
Receipts and  
Payments.



23d By-Law.

No Person to  
ship Goods  
but what  
shall be first  
licensed.

*Item,* It is Ordained, That the Court of Directors shall not permit any Person or Persons to export or import any Money, Goods, or Merchandizes, in any Ship belonging to, or freighted by this Company, other than such as shall be first licensed by the said Court of Directors, or such as shall be by them impowered to grant such Licence.

ART. 9

24th By-Law.



24th By-Law.

*Item,* It is Ordained, That all Questions (except for Adjournment) that shall be proposed in a General Court, shall, if required, be first stated in Writing by the Chairman, before the same shall be put; and that the Chairman, in a General Court, shall not adjourn or dissolve the Court, without a Question.

All Questions, except for Adjournment, to be stated in Writing.

General Court not to be adjourned without a Question.

25th By-Law.

*Item,* It is Ordained, That at the General Court to be held yearly in the Month of June a Committee of Seven shall be chosen, whereof Four to be a Quorum, who shall be, and they are hereby authorised and

A Committee of Seven to be chosen yearly in June.

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impowered to inspect the By-Laws, and to make Enquiry into the Observance and Execution of them, and to consider what Alterations and Additions may be proper to be made, and to report their Opinion, from Time to Time, to the General Court.

26th By Law.

A Chairman and Deputy-Chairman to be chosen yearly by the Ballot, and allowed £200 a Year each.

And each Director £150 a Year.

*Item,* It is Ordained, That at the first Court of Directors after every Annual Election, a Chairman and Deputy Chairman be chosen for the Year by the Ballot, and that each of them be allowed Two Hundred Pounds a Year; and every other Director be allowed One Hundred and Fifty Pounds a Year for his Attendance upon the Business of this Company.

27th By-

27th By-Law.

*Item,* It is hereby Ordained, That if at any General Court of this Company, any Nine of the Members present shall demand a Ballot for determining any Question proposed, such Question shall be put by the Ballot, and not otherwise.

Nine Members may demand a Ballot.

28th By-Law.

*Item,* It is Ordained, That the Court of Directors shall annually, in the Month of *February*, cause a General State of the Company's Affairs to be drawn out, and laid before them for their Observation.

Annual Account to be drawn out and laid before the Directors in February.

29th By-Law.

Previous  
Questions, or  
that of Ad-  
journment,  
may be de-  
termined by  
Division of  
the General  
Court.

*Item,* It is Ordained, That if any Doubt shall hereafter arise in the General Court, upon, or relating to any Declaration which shall be made from the Chair upon the Question for Adjournment, or the previous Question; such Question shall be determined by a Division of the Proprietors then present, provided a Motion be made for such Division and seconded, and that four Tellers be immediately appointed, two by the Chairman, and two by the Persons who have moved and seconded such Question.

30th By-



30th By-Law.

*Item,* It is Ordained, That no new Ship (except those now building) shall be built for the Service of this Company, until the Tonnage of all the Ships employed, or to be employed in the Trade of this Company, on Freight to and from the *East-Indies*, shall be reduced to 45000 Tons, Builders Measurment.

No new Ship  
to be built till  
Tonnage is  
reduced to  
45000 Tons,  
Builders  
Measurment.

[*Repealed 24th  
Sept. 1788.*]

31st By-Law.

*Item,* It is Ordained, That every Director shall have Liberty to inspect, and take Copies of such Accounts, Letters and Papers, relating to the

Directors  
may inspect  
and copy all  
Papers, ex-  
cept those be-  
fore the Se-  
cret Com-  
mittee.

the Company's Affairs, as he shall think fit, except such as are before the Secret Committee.

33d By-Law.

Powers of  
the Committee  
of Secrecy.

*Item,* It is Ordained, That the proper Matters of Reference to the Committee of Secrecy, be the soliciting and settling with the Admiralty, in the Name of the Court of Directors, all Matters relative to the Convoys, for the outward and homeward bound Shipping.

33d By-Law.

No unlimited  
Vote of Credit  
to be given  
to the Committee  
of Treasury.

*Item,* It is Ordained, That no unlimited Vote of Credit shall be given by the Court of Directors to the Committee of Treasury,

Treasury, on the Company's Account, and that the Quorum of the Committee of Treasury shall never consist of less than three Members.

34th By-Law.

*Item,* It is Ordained, That the Report of every Committee be signed, and laid before the Court of Directors next following.

Committee's  
Reports to be  
signed and  
laid before  
the next  
Court.

35th By-Law.

*Item,* It is Ordained, That any Director who shall dissent from any Resolution of the Court of Directors, shall have the Liberty of entering his Dissent, with the Reasons thereof, on the Minutes of the said Court within Fourteen Days.

Directors  
may enter  
Dissents on  
Court Mi-  
nutes.

36th By-

36th By-Law.

No new Office to be created of more than £100 per Annum, without Proprietors Approbation.

*Item,* It is Ordained, That no new Office, either at Home or Abroad, shall be created by the Directors, with any Salary, exceeding the Sum of One Hundred Pounds *per Annum*, without the Approbation of the Court of Proprietors.

37th By-Law.

No Salary exceeding £100 per Annum, to be appointed to any Office, without Approval of two General Courts.

*Item,* It is Ordained, That no Salary, exceeding One Hundred Pounds *per Annum*, shall be appointed to any Office that shall be hereafter created, without the Approbation of Two General Courts, to be summoned for that Purpose.

38th By-



38th By-Law.

*Item,* It is Ordained, That a List shall be published Fourteen Days before the Annual Election of Directors, containing the Names of such Proprietors qualified agreeable to Law, as shall signify in Writing to the Secretary, their Desire of becoming Candidates for the Direction, Sixteen Days before such Annual Election.

List of Candidates for the Direction, to be published 14 Days before every Election.

39th By-Law.

*Item,* It is Ordained, That no Ship in the Company's Service shall be repaired for going more than four Voyages, except there shall be a Want of

No Ship to be repaired for going more than four Voyages.

F                      Ships

Ships for the outward-bound  
Freight, and such Ships to be  
fold in *India*.

40th By-Law.

After Ton-  
nage is re-  
duced to  
45000 Tons,  
Ships to be  
employed in  
Rotation.

[*Repealed 24th*  
*September,*  
*1788.*]

*Item,* It is Ordained, That  
after the Quantity of Shipping  
in the Company's Service shall  
be reduced to 45000 Tons,  
the Ship that has been first  
worn out, or condemned, shall  
be the first rebuilt and em-  
ployed, and so in Rotation, the  
Owners of each Ship tendering  
the same on as low Terms as  
any other.

41st By-Law.

After Ton-  
nage is re-  
duced to

*Item,* It is Ordained, That  
if after the Quantity of Ship-  
ping

ping in the Company's Service shall be reduced to 45000 Tons, a Ship shall be unavoidably either taken or lost, the Owners of such Ship shall have the preference of building a new one, without waiting her Turn in Rotation; but, in case of the Death of the Commander, on her fourth Voyage, then the Bottom to drop.

45000 Tons,  
the Owners  
of any Ship  
unavoidably  
lost, to have  
the prefer-  
ence of build-  
ing a new  
one.

[*Repealed 23d  
March, 1785.*]

#### 42d By-Law.

*Item,* It is Ordained, That the Committees of Buying, Shipping, and Warehouses, shall report to the Court of Directors, Ten Days before the Ships are taken up, the Quantity of Tonnage necessary for the Service of the current Year, and that the

Reports from  
Committees  
to be made  
to the Court  
of Directors  
of Tonnage  
wanted for  
the current  
Year.

Tonnage to be contracted for shall be proportioned to those Reports: Provided the Court of Directors shall have received the proper Indents, from their several Settlements in Time.

43d By-Law.

Warehouse-keepers to keep Accounts of Receipts, Sales, and Remains.

*Item*, It is Ordained, That the Company's Warehouse-keepers shall keep a regular Account of the receiving in, and Sale of each Species of Goods, and that an Account of the Quantities, and an Estimate of the Value of the Goods remaining in each Warehouse, shall be made up to every first of *March*, in such a Manner as to shew the same at one View.

44th By-



44th By-Law.

*Item,* It is Ordained, That Clerk to  
there shall be kept, by the Committee of  
Clerk to the Committee of Shipping to  
Shipping, a separate Account keep Ac-  
of all Goods contracted for, count of all  
and delivered in that Depart- Exports in  
ment for Export, and of all that Depart-  
Payments made thereon. ment.

45th By-Law.

*Item,* It is Ordained, That Clerk to  
the Clerk to the Committee of Committee of  
Buying shall keep a similar Buying to  
Account, respecting the Goods keep a simi-  
contracted for in his Depart- lar Account.  
ment.

46th By-Law.

*Item,* It is Ordained, That Account of  
there shall be kept in the Freight and  
Freight Demorage of

each Ship, to  
be kept in  
Freight Of-  
fice.

Freight Office, a Book, containing a separate Account of the Freight and Demorage of each Ship, to be made out as soon as convenient, and debiting for Cash and other Disbursements, as the same shall be paid.

47th By-Law.

All Accounts  
to pass the  
Court of Di-  
rectors quar-  
terly.

*Item,* It is Ordained, That all Accounts shall be examined by the respective Committees, and pass the Court of Directors quarterly, and that no Money shall be advanced to any Clerk or Warehouse-keeper after Quarter-Day, until his last Quarter's Accounts are passed.

48th By-Law.

*Item,* It is Ordained, That  
no

no Motions shall in future be made in a General Court of this Company, to forgive any Offences committed by any of the Company's Servants, or to make any Grants of any Sums of Money out of the Company's Cash, without previous Notice of at least seven Days, being given in Writing, by the Persons who have any such Motions to propose.

No Motions to be made in General Courts, to forgive Offenders, or grant Money, without seven Days Notice given in Writing.

49th By-Law.

*Item,* It is Ordained, That whoever shall be in the Service of this Company, and shall be wittingly guilty of the Breach of any of the By-Laws of this Corporation, and shall be so adjudged by a General Court, he shall be incapable of any Employment in this Company.

Any Person guilty of the Breach of the By-Laws rendered incapable.

50th By-



## 50th By-Law.

Election for  
six Directors;  
Lists contain-  
ing more than  
six or less  
than five  
qualified  
Persons, to  
be rejected.

*Item,* It is Ordained, That in all Elections to be annually made of six Directors of this Company, for four Years, in pursuance of the Act of Parliament of the 13th Year of his Majesty King *George* the Third, intituled, "An Act for  
" establishing certain Regu-  
" lations for the better Ma-  
" nagement of the Affairs of  
" the *East-India* Company, as  
" well in *India* as in *Europe*,"  
each Proprietor voting, shall give in a List containing not more than six Names of Persons duly qualified to be Directors; and if any List shall contain the Names of more than six, or less than five Persons duly qualified, every such List, and all the Names therein  
con-



contained, shall be totally rejected.

### 51st By-Law.

*Item,* It is Ordained, That notwithstanding the 11th and 23d By-Laws, in case any small Quantities of Tea, not exceeding the Value of £10 prime Costs, or other Goods or Effects not exceeding the Value of £100 prime Costs, belonging to any one Person, shall be brought from *India* or *China* in any of the Company's Ships, without being duly licensed or registered, and it shall appear to the Satisfaction of the Court of Directors that there was no Intention of Smuggling such Goods or Effects, it shall be lawful for the said Court of Directors, at their Discretion, to pass and

Unregistered Goods may be delivered; Tea not exceeding 10l. and other Goods not exceeding 100l. Value.

G                      allow

( 50 )

allow such Goods or Effects, not exceeding such Value as aforesaid, to the Owners thereof, upon Payment of the Duties and Charges due to the Company for the same.

52d By-Law.

No Persons  
to be admitted to General Courts  
unless possessed of 500l. Stock.

*Item,* It is Ordained, That no Person be admitted to be present at any General Court of this Company, who shall not at that Time be possessed of Five Hundred Pounds Stock.

53d By-Law.

Ships to be built in turn unless the Bottom shall drop by Death of Commanders or otherwise.

*Item,* It is Ordained, That the Ship which hath been, or shall be First worn out or condemned, shall be the First rebuilt and employed, and so in Rotation, unless it shall appear

appear necessary, in the Opinion of the Court of Directors, to reduce the Quantity of Tonnage in the Company's Service, in which case, when a Commander shall happen to die, upon or after his Ship shall have performed a Fourth Voyage, and before Liberty given for rebuilding, the Bottom of such Ship shall drop.

[Made the 17th June, 1788, and confirmed the 24th Sept. following.]

#### 54th By-Law.

*Item,* It is Ordained, That if a Ship shall happen to be taken or lost on her First, Second, or Third Voyage, and such Capture or Loss shall, in the Judgment of the Court of Directors, appear to have been unavoidable, the Owners of such Ship shall have the Preference of building

Ships taken on the first, second, or third Voyage, Bottoms to be first built upon if unavoidably lost, &c.

[Made the 17th June, 1788, and confirmed the 24th Sept. following.]



ing a new Ship, without waiting for the Turn in Rotation.

55th By-Law.

Ships, none to be built or employed under 800 Tons, except for home Freights.

[Made the 17th June, 1788, and confirmed the 24th Sept. following.]

*Item*, It is Ordained, That no Ship shall hereafter be built for, or employed in the Company's Trade, to and from the *East-Indies* or *China*, of less Burthen than 800 Tons, Builders Measurement, except Ships casually hired for home Freights; Ships the Property of the Company, and Ships already built for the Company's Service, nor shall Ships, to be so employed, except as aforesaid, be built with Timber of smaller Scantling, or with any other Material of less Dimensions than those now used for Ships of 800 Tons, built with the Leave of  
of



of the Company, and so in proportion for Ships of a larger Size.

56th By-Law.

*Item,* It is Ordained, That the Court of Directors shall give Leave for building each Ship in Time, to allow Eighteen Months from the Time of laying the Keel to the launching ; and, in such Leave, shall specify particularly the Dimensions, Scantlings, Thickness of Planks and Number of Guns, provided, that previous to such Leave, the Owners shall consent to lett their respective Ships to the Company, upon each Voyage, at as low a Freight as any other Ship can be obtained by the Court  
of

Ships to be allowed 18 Months from the laying the Keel to launching, Scantlings, &c. to be specified.

[Made the 17th June, 1788, and confirmed the 14th Sept. following.]

of Directors, which have been or shall be constructed and fitted in the same Manner with the regular Ships of about 800 Tons and upwards, at this Time employed in the Company's Service.

57th By-Law.

New Ships  
to be com-  
manded by  
Captains out  
of Employ;

or if no Cap-  
tains out of  
Employ,  
then to Offi-  
cers properly  
qualified.

*Item,* It is Ordained, That if any new Ship or Ships shall be built, or taken up on Freight for the Use of the Company, the Command of such Ship or Ships shall be given to Captains out of Employ, from their Ships being worn out; and if there shall be no Captain in that Predicament, then to Officers properly qualified for a Command under the established Regulations of the Service, such Per-

Persons respectively being found, on Enquiry, to have faithfully and honourably discharged their Duty, in their several Stations, and the Owners shall be restrained from removing any Commander after he shall have been regularly appointed and confirmed, without giving such Reasons for his Removal as shall be satisfactory to the Court of Directors.

Owners restrained from removing Commanders without giving satisfactory Reasons to the Court of Directors.

*[Made the 17th June, 1788, and confirmed the 24th Sept. following.]*

### 58th By-Law.

*Item,* It is Ordained, That none of the present By-Laws, or any other that shall hereafter be made, shall be altered, repealed, or suspended, without the Consent and Ap-

No By-Laws to be altered without the Consent of Two General Courts.



Approbation of Two General Courts, to be called for that Purpose.

59th By-Law.

By-Laws to  
be read the  
First Court.

*Item,* It is Ordained, That these By-Laws shall be read in the First Court of Directors, and First General Court, after every annual Election.

*The End.*



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# I N D E X.

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## A.

	Page
<b>A</b> CCOMPTANT to examine and certify Receipts and Payments	31
ACCOUNT-ANNUAL to be drawn out and laid before the Court of Directors in February	35
ACCOUNTS to pass the Court of Directors quarterly	46

## B.

<b>B</b> ALLOT, Nine Members may demand one	35
<b>B</b> OOKS to be balanced yearly 30th of June	21
Indian, to be balanced yearly, and sent home	22
<b>B</b> ULLION licensed, to be brought to the Company's Treasury	12

H

BUYING,

# I N D E X.

	Page
BUYING, Clerk to the Committee of, to keep an Account of Exports in his Department	45
BY-LAWS, Committee of Seven to inspect them, to be chosen annually in June	33
----- Persons guilty of a Breach of them rendered incapable	47
----- Not to be altered without Consent of two General Courts	55
----- To be read in the first Court of Directors and General Court after every Election	56

## C.

CANDIDATES for Directors to give sixteen Days Notice to the Secretary	41
CASH for the Annuity to be kept distinct from the Trade, and paid Half-yearly	5
----- To be kept under three Locks	29
----- State thereof to be laid before the Court weekly, and examined monthly by the Directors	30
COMMANDERS to be informed, all unlicensed Goods will be forfeited	15
----- To sell no Office in their Ships	19
COMMITTEE of Secrefy's Powers	38
----- Of Treasury not to have an unli- mited Vote of Credit	38
----- Reports to be signed and laid before the Court	39
----- To report Tonnage wanted	43

DIRECTORS,

# I N D E X.

## D.

	Page
<b>DIRECTORS</b> , Court of, to be holden weekly	5
—— To declare their Dealings with the Company	6
—— Not to take any Fee or Reward	9
—— Dying, or going beyond Sea, others to be chosen	18
—— Elections of, what Notice to be given	23
—— Elections, relating to	25
—— To examine State of Cash monthly	31
—— Court of, Chairman and Deputy, to be chosen yearly by Ballot	34
—— Salaries	34
—— May inspect Papers and take Copies, except those before the Committee of Secresy	37
—— Of Secret Committee, their Powers	38
—— Reports of Committees to be signed and laid before the next Court	39
—— May enter their Dissents on Court Minutes	39
—— Candidates for, to be published fourteen Days before every Election	41
—— To pass Warehouse-keepers and Clerks Accounts quarterly	46

## E.

<b>ELECTIONS OF DIRECTORS</b> , what Notice to be given	23
<b>ELECTIONS</b>	

# I N D E X.

	Page
ELECTIONS, Relating to	25
----- Lists containing more than six qualified or less than five Persons to be rejected	48

## F.

FREIGHT AND DEMORAGE, Account of each Ship's, to be kept in the Freight Office	45
---	----

## G.

GENERAL COURT not to be adjourned without a Question	33
----- No Motion for Pardon of Offences, or grant of Money, to be made without seven days previous Notice	47
----- No Persons to be admitted unless possessed of 500l. Stock	50
GOODS licensed, to be viewed by the Committee of Shipping and registered	12
----- Freight of, to be paid before Order is given for their being received on board Ship	13
----- Company's Mark to be put on them	13
----- Outwards to be registered	14
----- Unlicensed to be forfeited	15
----- Brought home unregistered will be forfeited	16
----- In Private Trade to be lodged in the Com- pany's Warehouses	18
----- None to be shipped till licensed	32
----- Unregistered to be delivered in certain Cases	49
	NOTES



# I N D E X.

## N.

<b>N</b> OTES not to be taken in Payment	Page 23
--	------------

## O.

<b>O</b> FFICE, no new one to be created of above 100l. per Annum, without Consent of Proprietors	40
<b>O</b> FFICERS not to take any Fees but what shall be allowed	9
———— Not to be Brokers	10
<b>O</b> RDERS to be signed by thirteen Directors, except for Signals	25

## P.

<b>P</b> RIVATE TRADE. See <b>GOODS</b>	
<b>P</b> ROMPT PAYMENT, Allowance to be made for Money called in for Trade	21
<b>P</b> ROPRIETORS, Lifts of, when to be delivered	23
———— Not to trade within the Company's Limits	24
———— Of less than 500l. Stock excluded from General Courts	50

QUESTIONS,

# I N D E X.

## Q.

	Page
<b>Q</b> UESTIONS, except for Adjournment, to be stated in Writing	33
— Demanded to be put by the Ballot, must be so put	35
— For Adjournment, or the previous Question, may be determined by Division	36

## R.

<b>R</b> ECEIPTS and PAYMENTS to be made in course	22
--	----

## S.

<b>S</b> ALARIES exceeding 100l. per Annum, not to be granted without Consent of two General Courts	40
<b>SEAL</b> , Company's, to be kept under three Locks, and not to be put to any Writing but in the Presence of two Directors	3
<b>SHIPPING</b> , none of the Company's Money to be laid out therein, without the General Court's Consent	10
— Clerk to the Committee of, to keep Account of Exports	45

SHIPS

# I N D E X.

	Page
SHIPS not to be taken up wherein a Director is an Owner	11
———— To be taken up and Voyages agreed to by Ballot	11
———— None to be built till Tonnage is reduced to 45,000 Tons	37
———— not to be repaired for going more than four Voyages	41
———— To be employed in Rotation after the Tonnage is reduced to 45,000 Tons	42
———— Owners to have the Preference of building a new one, after Tonnage is reduced to 45,000 Tons	43
———— To be built in turn, unless the Bottom shall drop by Death of Commanders or otherwise	50
———— Taken on the first, second, or third Voyage, Bottoms to be built upon if unavoidably lost, &c.	51
———— None to be built or employed under 800 Tons, except for home Freights	52
———— To be allowed 18 Months from the laying the Keel to launching, Scantlings, &c. to be specified	53
———— New, to be commanded by Captains out of employ, or Officers properly qualified	54
———— Owners restrained from removing Commanders without giving satisfactory Reasons to the Court of Directors	55
STOCK not to be purchased on the Company's Account, without the General Court's Consent	10

TRANSFER,

I N D E X.

T.

<b>T</b> RANSFER, 11s. 9d. to be paid for each	Page 4
<b>T</b> ONNAGE wanted, to be reported before the Ships are taken up	43

W.

<b>W</b> AREHOUSE-KEEPERS to keep Accounts of Receipts of Goods, Sales and Remains	44
---	----



